

April 25, 2018

PLANNING ADVISORY COMMISSION Ordinance Amendment

A staff initiated request to amend the Subsurface Sewage Treatment System Ordinance;

- Section 3.20 that would require the completion of a Septic System Disclosure and Transfer Agreement Form to be submitted to the department prior to the recording of a property transfer.
- Section 5.40 that would identify that a Certificate of Compliance for an existing system is valid for a period of three years, and that a septic tank must be pump as part of the inspection process.
- Section 7.1 which strikes that mandatory operating permit requirement for Type III septic systems.

red = proposed new text

SUBSURFACE SEWAGE TREATMENT SYSTEM ORDINANCE

SECTION 10.20

SUBDIVISION 3. SSTS STANDARDS AND REQUIREMENTS

3.20 PROHIBITIONS.

- 3.21 Septic System Disclosure & Transfer Agreement** – The Pope County Septic System Disclosure & Transfer Agreement form must be completed and submitted to the Department for approval, prior to recording with the Pope County Recorder, of any sale or transfer of land.
- 3.22 Occupancy or Use of a Building without a Compliant SSTS** - It is unlawful for any person to maintain, occupy, or use any building intended for habitation that is not provided with a wastewater treatment system that disposes of wastewater in a manner that complies with the provisions of the state rules/statutes and this Ordinance. All wastewater generated in the county must be treated in either a state agency permitted facility or via the standards outlines in this Ordinance for SSTS.
- 3.23 Sewage Discharge to Ground Surface or Surface Water** - It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.
- 3.24 Sewage Discharge to a Well or Boring** - It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Ordinance.
- 3.25 Discharge of Hazardous or Deleterious Materials** - It is unlawful for any person to discharge into any treatment system regulated under this Ordinance any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.
- 3.26 Abandonment** - Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with Minnesota Rules, Chapter 7080.2500.

SUBDIVISION 5. INSPECTIONS

5.40 COMPLIANCE INSPECTION REQUIREMENTS FOR EXISTING SYSTEMS.

5.41 MANDATORY COMPLIANCE INSPECTIONS OF EXISTING SYSTEMS.

E. A Certificate of Compliance for existing SSTS compliance inspections, which shall be valid for three (3) years.

F. Tanks must be pumped empty before a compliance inspection can be officially completed, to determine tank integrity, except for when the tank is known to be failing and will not pass inspection or when a tank integrity inspection report was previously completed within the past three years of the Compliance Inspection.

SUBDIVISION 7. OPERATING PERMITS

7.10 SSTS REQUIRING AN OPERATING PERMIT. An Operating Permit shall be required of all owners of new ~~Type III~~, Type IV, and Type V SSTS, MSTs or any other system deemed by the Department to require operational oversight. Sewage shall not be discharged to these systems until the Department certifies that the SSTS was installed in substantial conformance with the approved plans, receives the final record drawings of the system, and a valid Operating Permit has been issued to the owner.

SUBDIVISION 8. LAND SPREADING OF SEPTAGE

8.20 SEPARATION REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE. Domestic septage disposal and treatment standards shall comply with U.S. EPA rules as found in 40 CFR part 503 entitled "Standard for the Use or Disposal of Sewage Sludge," ~~and MPCA guidelines as stated in "Land Application of Septage."~~

A. Land Spreading Location ...

B. Soil Suitability ...

C. Pathogen Control and Vector Attraction Reduction ...

D. General Site Management - The following general site management practices must be followed:

1. Application of septage is not allowed on areas of a site ponded with water or septage.
2. Septage cannot be applied by spraying from public roads or across road right of ways **without the approval of the local road authority.**

4/17/19

**POPE COUNTY LAND & RESOURCE MANAGEMENT
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**POPE COUNTY PLANNING ADVISORY COMMISSION
NOTICE OF PUBLIC HEARING FOR
PROPOSED AMENDMENT TO SUBSURFACE SEWAGE TREATMENT
SYSTEM ORDINANCE**

Notice is hereby given that a Public Hearing will be held in the Community Room of the Pope County Courthouse, 130 East Minnesota Ave, Glenwood, MN 56334 at 6:45 pm or shortly thereafter on Thursday April 25th, 2019, where the Pope County Planning Advisory Commission will consider a request to amend the Pope County Subsurface Sewage Treatment System Ordinance, Subdivisions 3, 5 and 7.

Description of Request: Language amendments initiated by staff, that if approved would amend Subdivisions 3, 5 and 7 of the Subsurface Sewage Treatment System Ordinance as it relates to standards and requirements, compliance inspections and operating permits.

Dated: April 5, 2019

By: David J. Green
Director
Land & Resource Management